

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
THE APPLICATION FOR A LICENSE OF

KEVIN A. WEIDMAN, M.D.,

Applicant

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ORDER RENEWING THE LIMITED LICENSE AND DENYING PETITION

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On January 8, 1993, Dr. Kevin A. Weidman filed his application for a license to practice medicine and surgery in the State of Wisconsin. Dr. Weidman indicated on his application that disciplinary action had been taken against his license in the States of Minnesota and North Dakota, and information provided established that his licenses in both those states were suspended. The board considered the application at its meeting of April 28, 1993, and denied the application by its order dated May 7, 1994. In denying the application, the board commented in its Order as follows:

At such time that North Dakota, which is apparently Dr. Weidman's state of original licensure, and Minnesota determine that it is safe to reinstate Dr. Weidman licenses in those states, the board will be happy to further consider his application in this state. Until Dr. Weidman is able to establish his satisfactory rehabilitative status to the boards in the states where he is currently licensed, however, it would be inappropriate for this board to grant a new license in Wisconsin.

Having submitted evidence satisfying the conditions set forth in the board's previous Order, Dr. Weidman petitioned the board to reconsider his application. The board considered the petition at its meeting of September 22, 1994. The board and Dr. Weidman thereafter entered into a Stipulation by which the board agreed to grant, and Dr. Weidman agreed to accept, a limited license to practice medicine and surgery in the State of Wisconsin. The board thereafter filed its order granting the limited license.

Pursuant to the board's order, Dr. Weidman appeared before the board at its meeting of March 23, 1995. At that time, Dr. Weidman petitioned for a reduction in the number of required urine screens from weekly to twice-monthly and to permit him to apply for and hold a DEA registration number. The board considered the matter on that date, and denied the petition by its order dated March 29, 1995.

By letter dated May 5, 1995, Dr. Weidman again petitioned for the board to permit him to apply and hold a DEA registration. He appeared before the board on May 25, 1995, in support of his petition. The board considered the matter on that date, and granted the petition by its order dated June 5, 1995.

Dr. Weidman appeared for his next scheduled meeting with the board on August 23, 1995, and January 26, 1996. At the time of the latter appearance Dr. Weidman requested that the limitations on his license be dropped and that the matter be transferred to the department's Impaired Professional Procedure. The board considered the request on that date.

Based upon that appearance and other information of record, the board orders as follows:

#### ORDER

NOW, THEREFORE, IT IS ORDERED that the petition of Kevin A. Weidman that the limitations on his license be dropped and that the matter be transferred to the department's Impaired Professional Procedure is denied.

IT IS FURTHER ORDERED that all terms and conditions of the board's Final Decision and Order in this matter, as amended by its order dated June 5, 1995, shall remain in full force and effect.

#### DISCUSSION

Sec. RL 7.01(2), Code, sets forth the intent of the department in creating the Impaired Professionals Procedure. That section states in part as follows:

The intent of the department in adopting rules in this chapter is to protect the public from licensees who are impaired by reason of their abuse of alcohol or other drugs. This goal will be advanced by providing an option to the formal disciplinary process for qualified licensees committed to their own recovery. . . . The procedure may be . . . utilized in selected cases to promote early identification of chemically dependent professionals and encourage their rehabilitation.

The IPP program is thus a pre-disciplinary diversion alternative, offered to those whose cases are not already a matter of public knowledge, who have demonstrated a commitment to their recovery, and who otherwise are deemed appropriate risks for full licensure during early recovery. Those factors are not present in the case of Dr. Weidman, and no disciplinary objective will be furthered by transferring his recovery program to the Impaired Professionals Procedure.

Dated this 30th day of January, 1996

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

by B. Ann Nevaizer  
B. Ann Nevaizer, Chair